

REMARKS

Applicants respectfully request reconsideration and allowance of the present application based on the foregoing amendments and following remarks. By this amendment, claims 10, 15, 18, 23, 25, 30 and 34 have been amended. Upon entry of this amendment, claims 10, 15-18, 23-25, 30, 31 and 34 will remain pending in the application.

Claim Rejections under 35 U.S.C. § 112, second paragraph

Claims 18, 23 and 24 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite. The Office Action states that Applicants are required to state in the record where the corresponding structure for the means plus function elements are found in the written specification.

Although Applicants respectfully disagree with the basis for this rejection, Applicants state as follows: the corresponding structure for all of the means plus function elements of the claims is included in the SATPS receiver 102 and/or server 250 as described in paragraphs [016] to [029], for example.

Accordingly, the rejections should be withdrawn.

Claim Rejections under 35 U.S.C. § 102

Claims 10, 15-18, 23-25, 30 and 31 stand rejected under 35 U.S.C. § 102(b) as being anticipated by P. Ptasiński et al., Journal of Navigation, 2002, chapter 55, pp. 451-462 (“Ptasiński”). Applicants respectfully traverse the rejections for reasons set forth more fully below.

Although Applicants respectfully disagree with the rejections, each of the independent claims has been amended to even further clarify patentable aspects of the invention.

More particularly, amended independent claim 10, with similar subject matter in claims 18 and 25 requires, inter alia that the horizontal error ellipse is centered at the position and has major and minor axes extending in latitude and longitude directions through the position.

The Office Action primarily relies on Figures 1 and 2 of Ptasiński for teaching the claimed error ellipse. However, these figures and corresponding text merely illustrate inaccuracies that can occur when using spherical versus an ellipsoidal model of the Earth when

obtaining positioning information from a pseudo satellite located at the center of the earth. This ellipsoid is therefore clearly centered at the center of the earth, not at a position that has been determined by solving equations associated with positioning signals.

Independent claims 18 and 25 recite limitations similar to those in independent claim 10. Accordingly, Applicants respectfully submit that independent claims 18 and 25 distinguish over Ptasinski for reasons similar to those set forth above with respect to independent claim 10.

Claims 15-17 depend from independent claim 10. Claims 23-24 depend from independent claim 18. Claims 30 and 31 depend from independent claim 25. Accordingly, Applicants respectfully submit that the rejected claims distinguish over Ptasinski for at least the reasons set forth above, and so the rejections should be withdrawn.

Claim Rejections under 35 U.S.C. § 103

Claim 34 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ptasinski in view of U.S. Patent No. 6,202,023 to Hancock et al. ("Hancock"). Applicants respectfully traverse this rejection for reasons set forth below.

Claim 34 has been amended similarly to claims 10, 18 and 25 and is patentable over Ptasinski for at least the reasons claims 10, 18 and 25 are patentable. The alleged combination of Hancock with Ptasinski would not have cured the deficiencies of Ptasinski as set forth above.

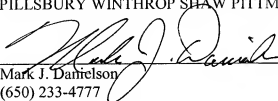
For at least these reasons, therefore, Applicants respectfully submit that independent claim 34 patentably distinguishes over Ptasinski in combination with Hancock.

Conclusion

All objections and rejections having been addressed, it is believed that the claims are in condition for allowance, and Notice to that effect is earnestly solicited. If any issues remain which the Examiner feels may be resolved through a telephone interview, s/he is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
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